

Protective Order Committee
Judicial Conference of Indiana

Minutes
January 24, 2003

The Protective Order Committee met at the Indiana Judicial Center in Indianapolis on Friday, January 24, 2003, from 12:00 p.m. – 4:00 p.m.

1. Members present. Tammy Baitz, George Brown, Thomas H. Busch, Robert E. Lybrook, Chris D. Monroe, Jerry L. Ummel and John W. Forcum, Chair
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Minutes. The minutes of the meeting on October 25, 2002 were approved.
4. Recent legislation. The members of the committee discussed HB 1044 concerning the immunity of Clerks when distributing protection order forms. They opposed SB 272, which would permit jurisdiction in protection order cases to include neighbor disputes. They supported SB 479, a technical corrections bill that fixes various concerns raised since the effective date of Indiana's protection order legislation in July 2002.
5. Review of questions submitted to website. Committee members reviewed questions and proposed answers submitted to the Protection Order website received from November through this meeting.
6. Protection Order benchbook. The committee members agreed to prepare outlines for each of their assigned sections for the next meeting. See Attachment No. 1.
7. Protection Order grant. Committee members discussed potential use of grant monies to include benchbook production and distribution, work-study sessions for benchbook development and continuation of Senior Judge Reichard's role as legislative liaison.
8. Next meeting dates. Committee members agreed meet at the following times: Friday, February 28, 2003; Friday, March 28, 2003; Friday, April 25, 2003; Friday, June 27, 2003; and Friday, July 25, 2003 from 12:00 Noon – 4:00 p.m. at the Indiana Judicial Center; Friday, August 21-22, 2003 for a potential two-day work-study session, and October 24, 2003 from 12:00 Noon – 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law

Proposed Protection Order Benchbook Sections

Suggestions for Benchbook from Jeff:

1. Each section should contain procedures, forms and applicable case law. It should be written based on what a new judge should know about protection orders. The clerk section should be written for both judges and clerks.
2. Forms are already on the website; the FAQ will supply some procedures. The procedures should be based on what a court needs to know to administer protection order cases.

3. Proposed sections:

Jurisdiction / Getting Started	Judge Monroe
Initial Filing with Clerk	Clerk & Judge
<i>Ex Parte</i> Proceedings and Orders	Magis. Miller
Hearings for Protection Orders	Judge Busch
Protection Orders including, but not limited to domestic relations and paternity ramifications	Magis. Miller
No Contact Orders	Magis. Lybrook
Workplace Violence Restraining Orders	
Enforcement of Protection Orders	Judge Forcum
Modification and Termination of Protection Orders	Magistrate Ummel
Weapons/Brady Act	Judge Busch
Full Faith and Credit/NCIC/IDACS	
Index	